IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.38129 of 2008

SHANKER YADAV …. PETITIONER

Versus

THE STATE OF BIHAR …. OPP. PARTY

For the petitioner : - Sri Manoj Kumar Pandey, Advocate

For the O.P. : - Sri D. Mehta, APP

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2. 14.11.2008 Heard Sri Manoj Kumar Pandey, Advocate for the petitioner and Sri D. Mehta, APP for the State.

The allegation is that while the informant was getting his Masoor crop uprooted the petitioner and others came there and it is further alleged that the petitioner Shanker Yadav fired a shot, which hit the informant in his chest. The other accused Pramod Yadav fired a shot, which hit his maternal uncle and he died. The rejection order itself indicates that the injury was simple in nature. There is a defence of land dispute also.

Let petitioner Shanker Yadav be released from custody on furnishing a bond of Rs.5,000/- (five thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge III, Barh in connection with Sessions Trial No. 1216 of 2008 arising out of Ghoshwari P.S. Case No. 11 of 2008.

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DKS/ **(Dharnidhar Jha, J.)**